



COMMONWEALTH of VIRGINIA
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February 7, 2006

Elizabeth A. Carter, Ph.D.
Executive Director
Virginia Board of Optometry
6603 West Broad Street
Richmond, VA 23230-1712

RE: Regulations of the Board of Optometry

Dear Dr. Carter:

I have reviewed the amendments to regulations of the Board of Optometry relating to a fee for a check that is returned for insufficient funds. The amendments conform board regulations to § 2.2-614.1 the Code of Virginia.

Therefore, I find the amended regulations are "necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved." § 2.2-4006 (A)(4)(a) is applicable and the amendment is exempt from Article 2 of the Administrative Process Act.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Wingfield".

Emily O. Wingfield
Assistant Attorney General

c: Elaine J. Yeatts, Agency Regulatory Coordinator
Department of Health Professions